

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

Hartford Accident and Indemnity Company,)
)
Plaintiff,)
)
v.)
)
Lisa Maria Lenna, *individually as Guardian*)
ad litem of H.D., a minor,)
)
Defendants.)
_____)

Civil Action No. 3:18-cv-03557-JMC

ORDER

This action arises from a motor vehicle accident and under provisions of the Federal Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.* (ECF No. 1 at 4 ¶¶ 17-21.) The matter before the court is Plaintiff Hartford Accident and Indemnity Company’s unopposed Motion to Compel Defendants Lisa Marie Lenna and her daughter, H.D., to provide discovery responses. (ECF No. 20.) Plaintiff alleges that Defendants were involved in an auto accident in July 2017 in Beaufort County, South Carolina. (ECF No. 1 at 2 ¶ 7.) As a result of the accident, Defendants filed separate lawsuits against the other motorist involved in the accident. (*Id.* at 3 ¶ 12.) Plaintiff alleges that the insurance policy was issued to a third-party and does not cover Defendants’ vehicle. (*Id.* at 2-5 ¶¶ 10, 11, 13-16.) Consequently, according to Plaintiff, the insurance policy does not entitle Defendants to coverage. (*Id.* at 5.)

Rule 37 of the Federal Rules of Civil Procedure states that “[a] party seeking discovery may move for an order compelling an answer, designation, production, or inspection” if the opposing party “fails to answer an interrogatory submitted under Rule 33” or if the opposing party “fails to produce documents or fails to respond that inspection will be permitted—or fails to permit inspection—as requested under Rule 34.” Fed. R. Civ. P. 37. Additionally, Local Rule 37.01(A)

requires a party to file a motion to compel discovery within twenty-one (21) days after the response was due. Local Civ. Rule 37.01(A) (D.S.C.).

The court finds that Defendants Lisa Maria Lenna and H.D. failed to respond to Plaintiff's motion, and therefore, **GRANTS** Plaintiff Hartford Accident and Indemnity Company's Motion to Compel (ECF No. 20). The court orders Plaintiff to provide appropriate responses to Plaintiff's discovery responses within fourteen (14) days on or before Friday, November 8, 2019.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "J. Michelle Childs". The signature is written in a cursive, flowing style.

United States District Judge

October 28, 2019
Columbia, South Carolina